

**REMARKS/ARGUMENTS**

In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are not anticipated under 35 U.S.C. § 102 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicants will now address each of the issues raised in the outstanding Office Action.

**Rejections under 35 U.S.C. § 102**

Claims 23-27, 60-64, 75 and 76 are rejected under 35 U.S.C. § 102(a) and 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0055816 AI ("the Paine publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, since claims 27 and 64 have been canceled, this ground of rejection is rendered moot with respect to these claims.

Second, independent claims 23 and 60 have been amended to recite that the candidate concept (and/or a

candidate concept indicator) has an associated value, and that the associated value is adjusted using the accepted advertiser feedback. Independent claims 26 and 63 have been similarly amended. These amendments are supported, for example, by Figures 7, 9 and 12, page 20, line 11 through page 21, line 22, and page 24, line 26 through page 25, line 13.

Third, independent claims 23 and 60, as amended, are not anticipated by the Paine publication at least because the Paine publication does not teach determining a candidate concept having an associated value (and/or candidate concept indicator) having an associated value, presenting the determined candidate concept (and/or candidate concept indicator) to an advertiser, determining a representation of the concept targeting information for the ad using the advertiser feedback to the presented candidate concept (and/or candidate concept indicator), and adjusting the value associated with the candidate concept (and/or candidate concept indicator) using the accepted advertiser feedback. In rejecting previously presented claims 23 and 60, the Examiner cites paragraphs [0086] and [0093] of the Paine publication as teaching the claims. (See Paper No. 200901, pages 4 and 5.) Furthermore, in response to the arguments presented in the applicants' response filed on November 3, 2008, the Examiner states "that it appears the Applicant's arguments with respect to the previous rejection have been formulated based on a difference in claim interpretation." (Paper No. 200901, page 22.) Specifically, the Examiner appears to be interpreting the keywords described in the Paine publication as teaching

the determined concepts in the present application. The applicants respectfully disagree.

As discussed in the applicants' response filed on November 3, 2008, embodiments consistent with the claimed invention **help resolve ambiguities with respect to ads served using keyword targeting**. Specifically, the specification provides:

As another example, the query term "jaguar" could refer to the car by that name, the animal by that name, the NFL football team by that name, etc. ***If the user is interested in the animal, then the user might not be interested in search results or advertisements which pertain to the car or NFL football team.***  
[Emphasis added.]

(Page 4, line 30 through page 5, line 4) Embodiments consistent with the claimed invention may overcome the above-described problem by determining **concepts, each concept having an associated value (i.e., score)** which may be associated the concept determined. The determined concepts are then presented to an advertiser. Based on the advertiser feedback to the presented candidate concept, a representation of the concept targeting information is determined and the value associated with the concept is adjusted. By using the advertiser feedback with respect to the candidate concepts presented, ***the targeting keyword(s) becomes contextually sensitive***. For example, an advertisement for a Ford car using the keyword "ford" would have a higher score for the concept "automobile" and lower scores for the concepts "celebrities," "hospitals," "presidents," etc.

This would increase the likelihood of serving the ad in instances where the term "ford" is contextually relevant to the ad, and decrease the likelihood of serving the ad in instances where the term "ford" is contextually irrelevant to the ad.

More specifically, the present application describes a "concept" as a **"representation of meaning that can be determined from a word and/or by analyzing a sequence of word searches and/or actions as the result of word searches."** (Page 14, lines 21-23 of the present application) The specification further provides:

**Examples of concepts include** (a) open directory project ("ODP") categories, (b) clusters (such as phil clusters described in U.S. Provisional Application Serial No. 60/416,144 (incorporated herein by reference), titled "Methods and Apparatus for Probabilistic Hierarchical Inferential Learner" filed on October 3, 2002), **context information**, (such as semantic context vectors described in U.S. Patent Application Serial No. 10/419,692 (incorporated herein by reference), titled "DETERMINING CONTEXTUAL INFORMATION FOR ADVERTISEMENTS AND USING SUCH DETERMINED CONTEXTUAL INFORMATION TO SUGGEST TARGETING CRITERIA AND/OR IN THE SERVING OF ADVERTISEMENTS," filed on April 21, 2003, and listing Amit Singhal, Mehran Sahami, Amit Patel and Steve Lawrence as inventors), etc. [Emphasis added.]

(Page 14, line 26 through page 15, line 5) Furthermore, in exemplary embodiments consistent with the claimed invention, each of a number of concepts may be associated with one or more keywords. (See Figures 10A-10H and

11A-11D of the present application.) *However, the fact that a concept may be associated with one or more keywords in embodiments consistent with the claimed invention does not mean that a concept in the present application is the same as the keywords described in the Paine publication.* Take, for example, the keyword "jaguar" used in Figures 11A-11D in the present application. On its own, this keyword is ambiguous and requires context to determine its meaning (e.g., associated with the concept "auto" or "mammal" or "football"). Furthermore, Figures 10A-10H of the present application illustrate:

different clusters, determined using ODP, associated with the word "ford". Thus, as illustrated in Figure 10A, an ad with targeting keywords "ford," "car," "auto," and "automobile" may have the concepts "recreation," "autos" and "makes and models." As illustrated in Figure 10B, an ad with targeting keywords "ford," "harrison" and "movies" may have the concepts "arts" and "celebrities." As illustrated in Figures 10C and 10D, an ad with targeting keywords "ford," and "patricia," may have the concepts "arts," "design," "fashion," "models," "individual," "adult," "celebrities," and "models and pin-ups." As illustrated in Figure 10E, an ad with targeting keywords "ford" and "agency" may have the concepts "regional," "north america," "united states," "new york," "localities," "new york city," "manhattan," "business and economy," "industries," "arts and entertainment," and "fashion modeling." As illustrated in Figure 10F, an ad with targeting keywords "ford" and "betty" and "clinic" and "rehab" may have the

concepts "health," "medicine,"  
"hospitals," and "health systems."  
Finally, as illustrated in Figures 10G  
and 10H, an ad with the keywords  
"gerald," "ford" and "president" may  
have the concepts "society," "history,"  
"by region," "north america," "unites  
states," "presidents," "kids and  
teens," "school time" and "social  
studies."

(Page 26, line 29 through page 27, line 15 of the present application) As can be appreciated from the foregoing, the ad targeting **keyword** "ford" can have various meanings depending on the context in which it is used. It is only by determining the context (i.e., determining **concepts**) in which the keyword is used that ambiguities with respect to ads served using keyword targeting can be resolved. The Paine publication merely suggests additional keywords which may also suffer from the same ambiguities. Thus, the Paine publication does not teach determining candidate concepts at all, let alone presenting the determined candidate concepts to an advertiser, determining a representation of the concept targeting information for the ad using the advertiser feedback to the presented candidate concept, and adjusting the values of the concepts base on the advertiser feedback.

Thus, in view of the foregoing remarks, independent claims 23 and 60 are not anticipated by the Paine publication. Independent claims 26 and 63 are similarly not anticipated by the Paine publication. Since claims 24, 25, 75 and 76 depend from claim 23, and since claims 61 and 62 depend from claim 60, these claims are similarly not anticipated by the Paine publication.

Claims 28-32, 35-37 and 65-74 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,035,812 B2 ("the Meisel patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, independent claims 28, 32, 65 and 69, have been amended to recite that the determined concepts have associated values which are adjusted based on performance information. These amendments are supported, for example, by Figures 9 and 12, and page 24, line 26 through page 25, line 13.

Second, independent claims 28 and 65, as amended, are not anticipated by the Meisel patent at least because the Meisel patent does not teach determining at least one concept having an associated value using accepted request information, and generating a representation of the determined at least one concept, wherein associated with the determined concept in the generated representation is adjusted using performance information of advertisements that have been served pursuant to the concept. In rejecting claim 28, the Examiner cites column 9, lines 55-60 of the Meisel patent as teaching the aforementioned features. (See Paper No. 200901, pages 11 and 12.) The applicants respectfully disagree.

As discussed above with respect to claims 23 and 60, ***the fact that embodiments consistent with the claimed invention describe that a concept may be associated with one or more keywords does not mean that a concept in the present application is the same as the keywords described in the Meisel publication.*** (See Abstract of the Meisel

patent.) Specifically, the Meisel publication does not **determine concepts** (which may be used to resolve ambiguities surrounding search keywords) using accepted request information (*e.g., determining the context of the user request*).

In response to similar arguments presented in the applicants' response filed on November 3, 2008, the Examiner states the "specific example given by the Applicant is not present at all in the claim language." (Paper No. 200901, page 25.) However, as discussed above, the specification provides

**Examples of concepts include** (a) open directory project ("ODP") categories, (b) clusters (such as phil clusters described in U.S. Provisional Application Serial No. 60/416,144 (incorporated herein by reference), titled "Methods and Apparatus for Probabilistic Hierarchical Inferential Learner" filed on October 3, 2002), **context information**, (such as semantic context vectors described in U.S. Patent Application Serial No. 10/419,692 (incorporated herein by reference), titled "DETERMINING CONTEXTUAL INFORMATION FOR ADVERTISEMENTS AND USING SUCH DETERMINED CONTEXTUAL INFORMATION TO SUGGEST TARGETING CRITERIA AND/OR IN THE SERVING OF ADVERTISEMENTS," filed on April 21, 2003, and listing Amit Singhal, Mehran Sahami, Amit Patel and Steve Lawrence as inventors), etc. [Emphasis added.]

(Page 14, line 26 through page 15, line 5). Thus, as used in embodiments consistent with the claimed invention, concepts include context information.



Thus, in view of the foregoing remarks and amendments, claims 28 and 65 are not anticipated by the Meisel patent. Independent claims 32 and 69, as amended, are similarly not anticipated by the Meisel patent. Since claims 29-31 depend from claim 28, since claims 35-37 depend from claim 32, since claims 66-68 depend from claim 65, and since claims 70-74 depend from claim 69 these claims are similarly not anticipated by the Meisel patent.

**Rejections under 35 U.S.C. § 103**

Claims 33 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Meisel patent (and purportedly well-known teachings). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claims 33 and 34 depend from claim 32. The purportedly well-known teachings would not compensate for the deficiencies of the Meisel patent with respect to claim 32, as amended (discussed above), regardless of the scope of the purported well-known teachings, and regardless of the absence or presence of a reason to combine. Consequently, Claims 33 and 34, as amended, are not rendered obvious by the cited references for at least this reason.

### New Claims

New dependent claim 77-80 depend from claims 23, 26, 28 and 32, respectively and further recite that the adjusted value stored in association with a concept is used to control the serving of an ad. These claims are supported, for example, by original claims 22 and 59 (now canceled), page 15, lines 11-23, page 17, lines 23-32, and page 18, line 10 through page 25, line 13.

New dependent claim 81-83 indirectly depend from claims 23, 28 and 32, respectively and further recite various acts used in controlling the serving of an ad. These claims are supported by original claims 1 and 3 (now canceled) and page 18, line 10 through page 25, line 13.

New dependent claim 84-87 indirectly depend from claims 23, 26, 28 and 32, respectively and further clarify the term "concepts". These claims are supported by page 14, line 21 through page 15, line 5.

### Conclusion

In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the

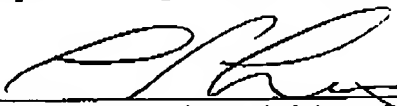
applicants request that the Examiner pass this application to issue.

Any arguments made in this amendment pertain **only** to the specific aspects of the invention **claimed**. Any claim amendments or cancellations, and any arguments, are made **without prejudice to, or disclaimer of**, the applicants' right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicants' remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicants' silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicants that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the applicants reserve the right to analyze and dispute any such assertions and implications in the future.

Respectfully submitted,

May 28, 2009

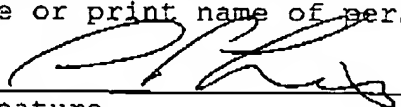
  
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